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JUN 20 1940

BAR BULLETIN

PUBLISHED BY THE LOS ANGELES BAR ASSOCIATION

THIS ISSUE OF THE BULLETIN CONTAINS THE DETAILS OF THE LAWYERS' REFERENCE SERVICE, ESTABLISHED BY THE ASSOCIATION, INCLUDING THE COMMITTEE'S REPORT, RULES AND FORMS, AS APPROVED BY THE BOARD OF TRUSTEES. IT IS HOPED THAT EVERY MEMBER WILL READ THE REPORT AND FAMILIARIZE HIMSELF WITH THE SERVICE. REGISTRATION IS OPEN TO ALL MEMBERS OF THE BAR ASSOCIATION, WITHOUT CHARGE.

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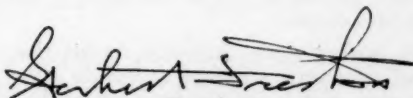
BULLETIN EDITORIAL OFFICE
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A MESSAGE TO MEMBERS

To All Members of the Los Angeles Bar Association:

This entire issue of our Bar Bulletin is devoted to a Revised Lawyers Reference Service, which has been established by your Board of Trustees, after long and thoughtful consideration by the Committee in charge of the task.

It is the earnest hope of your Officers and Trustees that every member will read the Committee's excellent report and study the Rules and Forms that have been adopted, and that you will cooperate to insure the fullest success of the Service. The Association has opened the registration to all members, without charge.


President,

LAWYERS' REFERENCE SERVICE

COMMITTEE'S REPORT, RULES AND FORMS, AS APPROVED BY BOARD OF TRUSTEES

TO THE BOARD OF TRUSTEES OF THE
LOS ANGELES BAR ASSOCIATION.

Gentlemen:

Under date of September 6, 1939, the Committee on Experienced Lawyers' Service recommended to the Board of Trustees that the Experienced Lawyers' Service be continued substantially upon the same basis as the service had been conducted in 1937, 1938 and 1939, except for certain refinements in the rules, which the committee believed would give to the applicants a wider degree of choice in selecting a lawyer, provide for more information concerning the registrants' qualifications, and to provide for permanent registration. The report recommended that action on the establishment of a specialists' list be deferred.

In December of 1939 the Board held a meeting with the writer of this report and the chairmen of several other committees whose activities were in related fields. After a full discussion of the Experienced Lawyers' Service, the report and program of this committee was approved. Thereafter, at the request of the members of the Board of Trustees, the Board determined that prior to making any further announcements with reference to the continued maintenance of the Experienced Lawyers' Service, that it would give additional thought and consideration to the problems presented in the establishment and maintenance of such a service and to the feasibility of integrating any other lists in which the Association may have been interested, and on April 4, 1940, the Board adopted a resolution recommitting the entire matter to the committee for further study and consideration and requesting your committee to reexamine the entire problem of an experienced lawyers' list, and if possible to integrate with such a service a "low-cost legal service" as recommended by the Junior Sections of the Los Angeles Bar Association. Specifically the committee was requested to give careful consideration to the suggestions made by Mr. W. C. Mathes.

Pursuant to the instructions of the Board, the Committee on Experienced Lawyers' Service has met weekly, either as a committee of the whole, or in sub-committees. Members of the Board of Trustees were invited to participate in the deliberations of the committee, and Messrs. Mathes and Weil have acted as members of the sub-committee charged with the responsibility of redrafting the rules so as to enlarge the scope of the service and to give the applicants the widest possible choice in the selection of an attorney.

A reexamination of the problems relating to the various lists which have been either wholly or partially sponsored by the Association for the use of public or quasi-public agencies and the Experienced Lawyers' Service discloses, that with the exception of the latter list, the Association had lost contact with the lists and that possible abuses in the use of such lists had occurred which cast reflection upon the Association.

Such further study definitely reveals that there was a need for the maintenance of a lawyers' reference service to serve two groups of the public, neither of whom were eligible for assistance under the rules of the Legal Aid Foundation. These were (1) laymen of the lower income group seeking a lawyer who is willing to serve them for a relatively low fee within their means, and (2) laymen seeking a lawyer in a particular field.

In addition to these two groups of the public, the experience of the Experienced Lawyers' Service during the last three years has demonstrated that there are many lawyers both within the State and out of the State who need such a service to make contacts with members of the profession who have had special experience in a particular field of the law.

The further study made by your committee has definitely convinced the committee that the Association in maintaining a lawyers' reference service is not only rendering a substantial and meritorious service to the public, but will, in addition thereto, render a service to the profession in that, first, the maintenance of such a service, together with appropriate publicity relating thereto, will acquaint the public that in fact there is a bar of competent lawyers to serve the public at reasonable fees, and that there is in fact no real need for the establishment of so-called "low-cost neighborhood offices," which may, in the judgment of investigators, lead to "open cut-throat competition among groups of lawyers to corral the so-called low-income group" (see report of Brooklyn Bar Association Committee as reported in *L. A. Daily Journal*, May 14, 1940); second, acceptance of the principles of the plan herewith submitted by the committee will tend to establish better business practices in the profession; and, third, the operations of the plan will be of material benefit in improving the economic status of a large number of well-trained young men and women in the profession who need both economic security and practical experience.

Although the committee in its deliberations has given primary attention to the public interest, it also sincerely believes that a realistic approach to the problem will compel every honest-thinking lawyer to admit that any plan which will bring the well-trained lawyer and the public together upon a basis where the economic interests of the lawyer are fairly and honestly recognized will result in the maintenance of professional standards which will actually protect the public. The experience of the administrative committees of the State Bar is ample evidence of the truth that where the economic interests of the bar are neglected when the relation of attorney and client is established, there is a lowering of professional standards to the injury of the public.

The committee respectfully suggests to the Board of Trustees that in considering the recommendations of the committee, that it keep constantly in mind that the Los Angeles Bar Association in establishing the Experienced Lawyers' Service broke a new trail in better public relations, and that many associations throughout the country are not only recognizing the imperative needs which a lawyers' reference service fills, but are also looking to the Los Angeles Bar Association for continued leadership in this matter of developing practical programs which will reestablish the profession in the high esteem with which the man in the street formerly regarded the bar. In passing we point out to the Board that the Chicago Bar Association has adopted a reference plan, which though predicated upon our original program, has innovations which are much more far-reaching than the proposals submitted herewith. (See *Chicago Bar Record*, Jan. 1940.) The State Bar of Oregon is cognizant of the needs served by a lawyers' reference service and has to a limited extent adopted a program which is comparable to our own. (Oregon Law Review, Supplement, Feb. 1940—Proceedings of Oregon State Bar.)

Before calling attention to the details of the program for the establishment of an integrated lawyers' reference service, the committee desires to emphasize the basic concepts upon which the service as recommended is predicated, namely:

(a) That the service should be established as a facility, available without cost to all members of the Association and as a public service;

(b) That the service allow the widest possible practical selection of counsel by the applicant for assistance;

(c) That the basis for the charge to be made by the attorney for the initial consultation be fixed in advance; and

(d) That the service be established upon the premise that every member of the Association, is a qualified general practitioner, and that every practitioner has a preference for a particular field of practice.

THE PLAN

The plan contemplates that every member of the Los Angeles Bar Association will be invited to cooperate in the program which will be known as "*The Lawyers Reference Service*" by registering with the Association as a participant in one or more of the three departments of the reference service.

The registration form (Exhibit A) will give (1) the essential personal information which will be required; (2) indicate the fields of practice for which the registrant has a preference; (3) indicate whether or not the registrant is willing to consult with other lawyers; (4) indicate whether the registrant desires references in those minor matters involving a small fee; and (5) whether he is desirous of serving the larger group of laymen who are seeking a lawyer in a particular field.

Registration will be permitted only if the registrant is a member, in good standing, of The State Bar of California and the Los Angeles Bar Association, and if the registrant agrees to accept the initial employment upon the basis set forth in the rules, namely:

(a) That the registrants who are willing to accept employment from laymen irrespective of the amount involved will make a maximum charge of \$3.00 for the initial conference, or \$5.00 if the initial conference consumes more than a half hour but not more than one hour. (These charges are exclusive of charges for preparing letters or documents.)

(b) That all further understandings for compensation for services subsequent to the initial conference be reduced to writing.

(c) That if the fee incident to employment is dependent upon a contingency, that such fee be limited to forty per cent. of the gross recovery, and

(d) That in the event of a misunderstanding concerning fees, that then at the request of the client such dispute will be submitted to the arbitration committee of the Los Angeles Bar Association for final determination.

No "low-cost" legal work, that is, work where the estimated fee (including litigated matters) is less than \$25.00, either because of the nature of the work or the inability of the client to pay a larger fee, will be referred to any registrant unless he affirmatively indicates his willingness to accept such cases.

No registrant will be registered as willing to consult with other lawyers in a particular field in which the registrant has affirmatively indicated that he is qualified to advise other attorneys who lack experience in such particular field, unless such registrant is willing to render such consultation for a fee of not more than \$25.00 in each matter, provided the total time consumed by the consultant is not more than two hours.

A lawyer may be registered in all three indexes to be maintained in the service if he qualifies as hereinabove set forth. However, in passing, it should

be noted that it is contemplated that it will be largely the younger members of the bar who will register as being willing to render legal services to those persons who cannot afford to pay a fee larger than \$25.00, or whose matter is of such a minor character that a fee in excess of that amount would not be justified. On the other hand, it is contemplated that it will be largely the senior members of the bar who will be willing to register as qualified to confer with other lawyers, and that they will register with the service in order to make their knowledge and experience available to the younger members of the bar upon a basis which the younger members of the bar can meet without embarrassment either to themselves or to the senior members of the bar.

The service is to maintain three indexes to be made up from the information provided by the registration form. These indexes are as follows:

1. An index of those members of the bar who are willing to render professional services to laymen generally.
2. An index of those lawyers who are willing to handle relatively small matters, including litigation wherein the total fee is estimated not to exceed \$25.00, either by reason of the nature of the matters themselves, or by reason of the inability of the client to pay larger fees; and
3. An index of those lawyers willing to act as consultants and advisors with other members of the profession who lack experience in the field of practice for which such consultant has expressed a preference.

Each index will be prepared upon differently colored cards. The proposed form of index card is annexed to this report, marked Exhibit B. Each index established under the service will be subdivided under the appropriate fields of practice indicated upon the registration form, and each index card will be filed in the first instance in the order in which the registration form is received from members of the bar. No member of the bar will be registered in any index maintained by the service under more than four fields of the practice of law in addition to registration as a trier of contested cases in one or more of such fields of the practice in which the registrant has indicated a preference.

Each applicant who makes inquiry at the office of the Association for assistance from the Lawyers' Reference Service will be interviewed by a member of the office staff, for the purpose of ascertaining the field in which the applicant's problem lies and to determine whether or not the inquiry is one which can be designated as one involving low-cost legal service as that phrase is used in this report. Having ascertained these preliminary matters, the Association will give to the applicant a letter of information (see Exhibit C attached hereto), which letter of information will give the name, address and telephone number of the applicant, indicate the field in which the applicant's problem is involved, and will list the names of five lawyers, together with their addresses and telephone numbers, who have registered in the service as preferring the field of practice in which the applicant's problem is connected. The index card of the lawyers whose names are listed in such letter of information will then be returned to the appropriate file in inverse order to the end that all attorneys registered in the service will be referred to applicants in rotation. If the number of registrants in the field in which the applicant's legal problem lies, are less than five, the names of all of the attorneys registered in that particular field of practice will be given the applicant.

At the option of the applicant for assistance from the Lawyers' Reference Service, the applicant may execute a request for reference letters, which request shall indicate the name of the attorney selected by the applicant from the list

furnished by the service, and may request the Association to arrange for an appointment with the attorney selected by the applicant. (For form of the request for reference letter see Exhibit C attached hereto). If the applicant requests a reference letter, the Association will prepare such a letter in triplicate. One copy of the reference letter will be given to the applicant, one copy mailed to the lawyer selected by the applicant, and one copy maintained in the files of the Association. (For form of the letter of reference, see Exhibit D attached hereto.)

If the applicant for assistance from the Lawyers' Reference Service is a member of the bar, such applicant shall be entitled to receive the names and addresses of all the lawyers who are registered in the particular field of the law in which the lawyer-applicant is interested. The letter of information, which is for lawyers only, will be substantially as set forth in Exhibit E attached hereto.

Each of the foregoing matters referred to in connection with the plan are covered by rules prepared by the committee, a copy of which rules are attached to this report, marked Exhibit F. In addition to the matters hereinabove discussed under the operations of the plan, the rules provide that by a majority of the members of the Board of Trustees the Association may reject any application for registration, or remove the name of any registrant from any index at any time, in which event the Executive Secretary shall promptly notify the registrant by registered mail of the action taken by the Board of Trustees. The rules further provide that any registrant may withdraw his registration from the service, or from any index thereof, or from any field of the practice classified therein at any time upon five days' written notice to the Association.

The rules further provide that no information shall be given to lay applicants except in writing, and that in the case of members of the profession making application to the Lawyers' Reference Service, the information may be given orally and by telephone, provided that the information thus given be confirmed in writing upon the form letter of information and under the rules the Association reserves the right to decline to make the facilities of the service available to any person.

The rules recommended by the committee do not require the registrant to advise the Association of the fact of his employment by any applicant for assistance from the Lawyers Reference Service; but the rules do require the registrant to keep a record of the name of each client referred to him through the service, the approximate date of the reference, the general nature of the matter referred, and the total fee received, and require said registrant to report such information to the Association upon written request therefor. This rule has been adopted by the committee in order to facilitate a survey of the service at any time by the Association in order to determine its effectiveness and usefulness.

Under the rules each registrant in the service agrees that he will be guided, governed and bound by the canons of professional ethics of the American Bar Association, which ethics have been made the code of ethics of the Los Angeles Bar Association.

Each registrant in the service agrees that the information contained in the registration card or form may be furnished to both professional and lay applicants in the operation of the Lawyers' Reference Service by the Association; that his name may be classified in the service as the Board of Trustees of the Association shall direct; that he will abide by the rules of the service, and that he will release the Association and any officer, trustee, member or employee thereof, from any liability whatever in connection with the use of the information contained on the registration form or arising out of the operation of the service.

CONCLUSION

It will be noted that the recommendations herewith made by the committee to the Board of Trustees has made the service more representative of the membership of the Los Angeles Bar Association, has resulted in the change of name from the "Experienced Lawyers' Service" to the "Lawyers' Reference Service" so as to more adequately designate the character of the service to be rendered by the Association, has eliminated the registration fee, has made the service one of the facilities available to all members of the Association, and has, to the full extent to which the committee deems it practical, enlarge the scope of choice of lawyers by the applicants to the service.

In addition to making the foregoing specific changes in the Experienced Lawyers' Service, the recommendations now made to the Board enlarge the scope of that service so as to enable the Association to adequately serve all groups of laymen who are in need of assistance in the selection of an attorney. The recommendations made by the committee with reference to fees will eliminate all opportunity for misunderstanding between the applicant and the lawyer to whom he is referred, will encourage good business practice in the profession, and will satisfy the public that there are competent lawyers available at reasonable fees.

In anticipation that the Board of Trustees will approve and accept the foregoing report, the committee recommends to the Board of Trustees that it forthwith withdraw the support of the Association from any and all lists of lawyers which have heretofore been provided by the Association to public and quasi-public agencies and that all public and quasi-public agencies be advised of the establishment of the Lawyers' Reference Service.

As noted hereinabove, members of the Board of Trustees have been invited to sit with the committee during its deliberations and the committee has received much help from the various members of the Board. However, in closing this report, I would be remiss in my duty as a lawyer, and lacking in appreciation, if I did not take this opportunity of publicly recognizing the very material assistance which has been given to the committee by Mr. W. C. Mathes and Mr. Jerold E. Weil of the Board of Trustees. Both of these gentlemen have given unstintingly of their time to the work of the committee and have made a contribution which will be of lasting benefit to the profession and the public.

Respectfully submitted,

VERNON P. SPENCER,
*Chairman of Committee on Lawyers'
Reference Service.*

(Forms and Rules follow on page 225, et seq.)

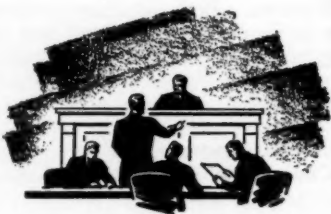
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who devote ourselves exclusively to trust problems may be of equal value.



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EXHIBIT A.LAWYERS REFERENCE SERVICE
OF THE
LOS ANGELES BAR ASSOCIATIONREGISTRATION FORM

- (1)
(Given Name) (Surname)
- (2)
(Office Address, Building and Room Number)
- (3)
(City) (Telephone Number)
- (4)
(Name of Firm) — (Member, Associate or Employee)
- (5) Date of Birth..... Place of Birth.....
- (6) Preparatory Education
- (7) College Education
- (8) Law School or Law Office Education.....
- (9)
(Date admitted in California) — (After Examination or upon Motion)
- (10) Admitted also to practice before.....
- (11) Engaged in active practice in Los Angeles County since year.....
- (12) Has your practice consisted largely of trial work?.....
Of office work?..... or both?.....
- (13) Please list the names and addresses of three Attorneys or Judges who
have some knowledge of the character of your professional work and ability:
- (14) Name any other jurisdiction in whose laws you are qualified to advise:
- (15) List any foreign languages you are able to speak:
- (16) If your practice is limited exclusively to a particular field, please describe
your specialty:
- (17) If your practice is not limited exclusively to a specialty, please check from
the following list, or add to it, the particular fields (not exceeding four)
under which you prefer to be listed in the Lawyers Reference Service main-
tained by the Association for the benefit of laymen:
- | | |
|---|---|
| Administrative Law—
(State particular field) | Mining |
| Admiralty | Motion Picture matters |
| Aliens: | Municipal Law |
| (a) Immigration | Oil and Gas |
| (b) Naturalization | Patent, Trademark and Copyright |
| Appellate Practice: | Personal Injury matters |
| (a) Federal | (State whether prosecution or defense) |
| (b) State | Probate |
| Bankruptcy | Public Utilities |
| Condemnation Proceedings | Real Property |
| Corporation Law | Receivership and Reorganizations |
| Criminal Law: | Taxation— |
| (a) Federal | (State particular field) |
| (b) State | Trade Regulation |
| Divorce | Trusts |
| Insurance—
(State particular field) | Veterans' matters |
| Labor Relations | Water Rights |
| Mechanic's Liens | Workmen's Compensation—
(State whether prosecution or defense) |

- (18) Please specify whether you wish to be registered as a trier of contested cases (in both State and Federal Courts) arising in the field or fields you have named:
- (19) Please list each field (not exceeding four) in which your experience has been such that you feel qualified to advise other attorneys who lack experience in such field:
- (20) Are you willing to consult with and advise other members of the profession who lack experience in the fields you have listed under (19), for a fee of twenty-five dollars in each matter, which will cover not to exceed two hours of your time? Yes..... No.....
- (21) Are you willing to hold your first conference with each layman referred to you by the Lawyers Reference Service, upon the following fee basis:
- (a) A maximum charge of three dollars, payable in advance, to cover a first conference consuming not more than one-half hour;
 - (b) A maximum charge of five dollars to cover a first conference consuming more than one-half hour but not in excess of one hour;
 - (c) With the understanding that the charges above specified cover conference and advice only, and do not include the preparation of letters or any legal papers;
 - (d) With the further understanding that all of your compensation for any further services will be subject to written agreement with the client;
 - (e) With the further understanding that in all such matters wherein your compensation is contingent upon a recovery, your total fees will in no event exceed 40% of the total or gross recovery; and
 - (f) With the further understanding that if any dispute over fees should arise between you and any client referred by the Lawyers Reference Service, and the client so requests, such dispute will be submitted to the Arbitration Committee of the Los Angeles Bar Association for final determination?
- Yes..... No.....
- (22) Are you willing to have referred to you relatively small matters, including those involving litigation, wherein the total fee is estimated not to exceed \$25 either by reason of the nature of the matters themselves, or by reason of the inability of the clients to pay larger fees?
- Yes..... No.....

The undersigned certifies that he is a member in good standing of The State Bar of California and for the Los Angeles Bar Association. In consideration of the Association's maintenance of the Lawyers Reference Service, the undersigned member agrees: That the information herein contained may be furnished to both professional and lay applicants in the operation of the Lawyers Reference Service by the Los Angeles Bar Association; that the name of the undersigned may be classified in the Service as the Board of Trustees of the Association shall direct; that the name of the undersigned may be withdrawn from any or all classifications of the Service at any time, in the discretion of the Board of Trustees, provided the undersigned shall be permitted to withdraw his registration from any or all classifications of the Service at any time upon five days' written notice to the Association; that the undersigned will abide the rules of the Service and will keep a record of each client referred by the Service; and that the undersigned will in no event hold or claim to hold the Association or any officer, trustee, member or employee thereof to any liability whatever in connection with the use of the information herein contained or the operation of the Service.

Date:, 194.....

(Signature of Attorney)

EXHIBIT B 1.

(Surname) (Given Name)

 (Office Address, Building and Room No.)

 (City) (Telephone No.)
 Registered as a trier of contested cases (in both State and Federal Courts) arising in the field of practice stated above? Yes (or) No.

 (List in above space the field of practice under which this card is to be indexed.)

The lawyer above named has registered with the Lawyers Reference Service as being willing to render professional services to laymen in the above described field of practice, upon the following fee basis:

(a) A maximum charge of three dollars, payable in advance, to cover a first conference consuming not more than one-half hour;
 (b) A maximum charge of five dollars to cover a first conference consuming more than one-half hour but not in excess of one hour;
 (c) With the understanding that the charges above specified cover conference and advice only, and do not include the preparation of letters or any legal papers;
 (d) With the further understanding that all compensation for any further services will be subject to written agreement with the client;

(e) With the further understanding that in all such matters wherein compensation is contingent upon a recovery, the total fees will in no event exceed 40% of the total or gross recovery; and
 (f) With the further understanding that if any dispute over fees should arise between the lawyer and any client referred by the Lawyers Reference Service, and the client so requests, such dispute will be submitted to the Arbitration Committee of the Los Angeles Bar Association for final determination.

Registrant's name is listed on "Letters of Information" issued as follows:

....., 194....., 194....., 194.....
....., 194....., 194....., 194.....
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....., 194....., 194....., 194.....

EXHIBIT B 2.

.....
 (Surname)
 (Given Name)

 (Office Address, Building and Room No.)

 (City)
 (Telephone No.)

Registered as a trier of contested cases (in both State and Federal Courts) arising in the field of practice stated above? Yes (or) No.

The lawyer above named has registered with the Lawyers Reference Service as being willing to handle relatively small matters in the above described field of practice, including those involving litigation, wherein the total fee is estimated not to exceed twenty-five dollars either by reason of the nature of the matters themselves, or by reason of the inability of the clients to pay larger fees, and as being willing to render professional service to laymen upon the following fee basis:

- (a) A maximum charge of three dollars, payable in advance, to cover a first conference consuming not more than one-half hour;
- (b) A maximum charge of five dollars to cover a first conference consuming more than one-half hour but not in excess of one hour;
- (c) With the understanding that the charges above specified cover conference and advice only, and do not include the preparation of letters or any legal papers;
- (d) With the further understanding that all compensation for any further services will be subject to written agreement with the client;
- (e) With the further understanding that in all such matters wherein compensation is contingent upon a recovery, the total fees will in no event exceed 40% of the total or gross recovery; and
- (f) With the further understanding that if any dispute over fees should arise between the lawyer and any client referred by the Lawyers Reference Service, and the client so requests, such dispute will be referred to the Arbitration Committee of the Los Angeles Bar Association for final determination.

Registrant's name is listed on "Letters of Information" issued as follows:

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EXHIBIT C.

LAWYERS REFERENCE SERVICE
OF THE
LOS ANGELES BAR ASSOCIATION

LETTER OF INFORMATION

To.....
(Name of Applicant)

.....
(Address)

.....
(Telephone No.)

Your inquiry indicates a legal problem in the field of:

.....
The following lawyers* are registered under that field of practice in the Lawyers
Reference Service of the Los Angeles Bar Association:

Each lawyer above named has agreed to charge a maximum fee of three dollars, payable in advance, for a first conference consuming not more than one-half hour, and a maximum fee of five dollars for a first conference consuming more than one-half hour but not in excess of one hour, with the understanding that his fees for all further services shall be subject to written agreement with the client. The charges above specified cover conference and advice only; they do not include the preparation of letters or any legal papers.

This office will arrange an appointment and give you a Reference Letter to any of the lawyers above named whom you may wish to consult. If you desire this additional service, please fill in and sign the "Request for Reference Letter" which is attached below.

This "Letter of Information" is delivered, and all other facilities of the Lawyers Reference Service are made available, without charge by the Los Angeles Bar Association to both laymen and lawyers, upon the condition that no applicant will ever make any claim against the Association arising in any manner out of this gratuitous service.

LOS ANGELES BAR ASSOCIATION

Date:, 194..... By.....

*Give Name, Building and Room Number, Street Address and Telephone.

REQUEST FOR REFERENCE LETTER

I have chosen, from the
above list of lawyers. Please give me a Reference Letter addressed to him, and
arrange for me an appointment with him.

Date:, 194.....
(Signature of Applicant)

EXHIBIT D.

LAWYERS REFERENCE SERVICE
OF THE
LOS ANGELES BAR ASSOCIATION

REFERENCE LETTER

To.....
(Attorney at Law) (Street Address)

(Room No. — Name of Building) (Telephone No.)

DEAR MR.....: , whose address and
telephone number are given as.....

has chosen your name from our Lawyers Reference Service, and has requested a
Reference Letter to you. This will confirm the appointment we have this day
arranged by telephone with your office, pursuant to the request of the applicant,
for..... M.,....., 194.....

(Hour) (Day) (Date)

Your cooperation is appreciated.

Cordially yours,

LOS ANGELES BAR ASSOCIATION

Date:, 194..... By.....

EXHIBIT E.

LAWYERS REFERENCE SERVICE
OF THE
LOS ANGELES BAR ASSOCIATION

LETTER OF INFORMATION
(for Lawyers only)

To..... Esq.,
(Name of Lawyer - Applicant)

(Address)

DEAR MR.....:

In response to your request, we list below the lawyers* registered in the
Lawyers Reference Service under the field of.....
who have expressed their willingness to consult with and advise other members
of the profession who lack experience in that field, for a fee of twenty-five
dollars in each matter, to cover one or more conferences not exceeding in the
aggregate more than two hours of the consultant's time:

This "Letter of Information" is delivered, and all other facilities of the
Lawyers Reference Service are made available, without charge by the Los
Angeles Bar Association to both laymen and lawyers, upon the condition that
no applicant will ever make any claim against the Association arising in any
manner out of this gratuitous service.

We welcome the opportunity to be of service to members of the profession.
LOS ANGELES BAR ASSOCIATION

Date:, 194..... By.....

*Give Name, Building and Room Number, Street Address and Telephone.

EXHIBIT F.RULES GOVERNING THE LAWYERS REFERENCE SERVICE
of the
LOS ANGELES BAR ASSOCIATION

(1) The term "Association" is employed herein to designate the Los Angeles Bar Association; the term "Applicant" to designate each lawyer or layman who shall apply to the Association for reference to a lawyer; the term "Registrant" to designate each lawyer who has applied for registration or whose name is registered for references through the Lawyers Reference Service; and the term "Service" to designate the Lawyers Reference Service of the Los Angeles Bar Association.

(2) It shall be the purpose of the Lawyers Reference Service to serve laymen, and members of the profession as well, by placing in touch with each other:

- (a) Members of the profession seeking a specialist or a lawyer experienced in a particular field of the practice;
- (b) Laymen of the lower income groups seeking a lawyer who is willing to serve them for a relatively low fee within their means; and
- (c) Other laymen seeking a lawyer in a particular field.

(3) Any member in good standing of both The State Bar of California and the Association may apply for registration under the Service by signing and filing at the office of the Association a "Registration Form" to be provided by the Association.

(4) No fee shall hereafter be charged by the Association to any lawyer as a registrant under the Service.

(5) There shall be maintained at the office of the Association three card indexes, as follows:

- (a) One (of blue cards) to be used exclusively for references in response to inquiries from members of the profession, which shall contain the name of each lawyer who shall register as experienced in a field in which he feels qualified to advise other lawyers who lack experience in such field;
- (b) A second index (of salmon cards) to be used exclusively for references in response to inquiries from those lay applicants of small means who must have a lawyer willing to serve them for a relatively small fee, which shall contain the names of those lawyers who shall register as being willing to handle relatively small matters, including those involving litigation, wherein the total fee is estimated not to exceed \$25 either by reason of the nature of the matters themselves, or by reason of the inability of the clients to pay larger fees;
- (c) A third index (of white cards) to be used exclusively for references in response to the inquiries of all other lay applicants, which shall contain the names of all lawyers who shall register for lay references pursuant to these rules.

Each index shall be classified according to the fields represented, as disclosed by the "Registration Form" filed by each registrant.

(6) The Association reserves the right, by order of a majority of the members of its Board of Trustees, to reject any application for registration, or to remove the name of any registrant from any index at any time. The Executive Secretary of the Association shall promptly notify by registered mail each registrant whose application for registration shall be rejected or whose name shall be removed from any index.

(7) Any registrant so desiring shall be permitted to withdraw his registration from the Service, or from any index thereof, or from any field of the practice classified therein, at any time upon five days' written notice to the Association.

(8) A roster of all registrants under the Service, listed in alphabetical order, shall be compiled and kept at the office of the Association. Opposite the name of each lawyer in such roster shall appear a list of the fields of the practice under which he is registered.

(9) Subject to Rule 6 hereof, the various cards comprising the three indexes described in Rule 5 shall be compiled from the information given on executed "Registration Forms" received at the office of the Association. Such cards shall be filed in the appropriate index under the proper field of the practice, in the same order in which the "Registration Forms" are received.

(10) No lawyer shall be registered in any index maintained by the Service under more than four fields of the practice of the law, in addition to registration as a trier of contested cases in one or more of such fields; provided, however, that nothing herein contained shall prevent any lawyer from being registered in more than one of the three reference indexes described in Rule 5.

(11) No lawyer shall be registered as experienced in a field in which he feels qualified to advise other lawyers who lack experience in such field, unless such registrant shall agree to consult with and advise members of the profession who lack experience in such field, for an agreed fee of twenty-five dollars in each matter, to cover one or more conferences not exceeding in the aggregate more than two hours of the consultant's time.

(12) No lawyer shall be registered in the index of those lawyers willing to serve laymen in a particular field, unless such registrant shall agree to render professional services for each layman referred by the Service upon the following fee basis:

- (a) A maximum charge of three dollars, payable in advance, to cover a first conference consuming not more than one-half hour;
- (b) A maximum charge of five dollars to cover a first conference consuming more than one-half hour but not in excess of one hour;
- (c) With the understanding that the charges above specified cover conference and advice only, and do not include the preparation of letters or any legal papers;
- (d) With the further understanding that all compensation for any further services will be subject to written agreement with the client;
- (e) With the further understanding that in all such matters wherein compensation is contingent upon a recovery, the total fees will in no event exceed 40% of the total or gross recovery; and
- (f) With the further understanding that if any dispute over fees should arise between the lawyer and any client referred by the Service, and the client so requests, such dispute will be submitted to the Arbitration Committee of the Association for final determination.

(13) No lawyer shall be registered in the index of those lawyers willing to serve persons of small means, unless such registrant shall make, in addition to the agreements provided in Rule 12 with respect to fees, the further agreement to handle matters (including those involving litigation) referred to him through the Service, wherein the total fee is estimated at the office of the Association, as a result of discussion with the lay applicant, not to exceed twenty-five dollars either by reason of the nature of the matters themselves, or by reason of the financial inability of the client to pay larger fees.

(14) Upon written or oral application by any layman to the office of the

Association, the names of five registrants first in order under the field of the practice indicated by the applicant's inquiry, together with their respective office addresses and telephone numbers, shall be given to such applicant. If the names of fewer than five lawyers appear registered under the particular field indicated, then the names of all lawyers registered under that field shall be given to the applicant.

Such information shall be given only in writing and upon a form "Letter of Information" to be provided by the Association. A copy of each "Letter of Information" issued shall be kept and filed chronologically in the office of the Association.

The index cards of the registrants whose names appear on each successive "Letter of Information" shall be placed forthwith in inverse order to the rear of all other index cards under that particular field of the practice. And the names of the registrants whose cards are next in order under that field shall be furnished to the next applicant seeking similar service—it being the intention to rotate in succession the names of registrants under each field of the practice, so that no registrant's name shall appear a second time at the head of the names listed on a "Letter of Information" until after the name of every other registrant under that particular field of the practice shall have appeared first on a "Letter of Information."

(15) Upon written or oral application by any member of the profession to the office of the Association, there shall be made available to such applicant the names, office addresses and telephone numbers of all registrants under any field of the practice in which the applicant may be interested.

Such information may be given to lawyer-applicants by telephone, provided the information thus given be confirmed in writing upon a form "Letter of Information (for Lawyers only)" to be provided by the Association. In all instances where such information is furnished to lawyer-applicants by telephone, the confirmation "Letter of Information" shall be mailed to such applicant as soon as possible thereafter and in all events on the same day. A copy of each "Letter of Information (for Lawyers only)" issued shall be kept and filed chronologically in the office of the Association.

The index cards of those registered under any particular field of the practice shall be rotated in succession so that no registrant's name shall appear a second time at the head of the names listed on a "Letter of Information (for Lawyers only)" until after the name of every other registrant under that particular field of the practice shall have appeared first on a "Letter of Information (for Lawyers only)."

(16) Whenever the applicant shall execute a "Request for Reference Letter" on the form provided by the Association, then the office of the Association shall arrange an appointment with any lawyer chosen by the applicant from among those listed on the "Letter of Information," and shall deliver to such applicant a "Reference Letter" addressed to the lawyer so chosen.

The "Request for Reference Letter" shall be addressed to the Association, shall state the name of the lawyer chosen by the applicant from among those listed in the "Letter of Information," and shall request the Association to arrange an appointment with such lawyer for such applicant, and to issue a "Reference Letter" to such applicant.

Each "Reference Letter" shall state the name and address of both the applicant and the lawyer he has chosen and shall confirm the date and hour of such appointment as shall have been previously made on behalf of the applicant.

A copy of each "Request for Reference Letter" executed by any applicant, and of each "Reference Letter" issued by the Association, shall be kept in the files of the Association.

(17) The Association reserves the right to decline to make the facilities of the Service available to any person.

(18) Each registrant shall keep a record of the name of each client referred to him through the Service, the approximate date of the reference, the general nature of the matter referred, and the total fee received, and shall report such information to the Association upon written request therefor.

(19) Each registrant shall be guided, governed and bound by the Canons of Professional Ethics of the American Bar Association.

(20) No lawyer shall in any event be registered in the Service unless and until he shall warrant that he is a member in good standing of The State Bar of California and of the Los Angeles Bar Association, and shall agree, in consideration of the Association's maintenance of the reference service described in these rules, that the information contained in the "Registration Form" may be furnished to both professional and lay applicants in the operation of the Service by the Association; that his name may be classified in the Service as the Board of Trustees of the Association shall direct; that his name may be withdrawn from any or all classifications of the Service at any time, in the discretion of the Board of Trustees, provided that he himself shall be permitted to withdraw his registration from any or all classifications of the Service at any time upon five days' written notice to the Association; that he will abide the rules of the Service, and will keep a record of each client referred by the service; and that he will in no event hold or claim to hold the Association or any officer, trustee, member or employee thereof to any liability whatever in connection with the use of the information contained in the "Registration Form," or the operation of the Service.

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THE ANSWER?

By William C. Mathes, of the Los Angeles Bar

(Mr. Mathes, author of this article, is a member of the Board of Trustees of the Los Angeles Bar Association and a member of the Committee on Legal Service Bureaus of the American Bar Association.)

UNTIL three years ago, a layman inquiring at the office of the Los Angeles Bar Association for the name of a lawyer was told in effect: "Yes, this is an association of lawyers, but we are not permitted to disclose their names. You will find the names of many lawyers in the classified section of the telephone directory." Although incomprehensible to the layman, this attitude is strictly in keeping with the sincere and long-recognized notion that the same ethical concept which forbids the individual lawyer from soliciting professional employment, equally prohibits the Bar Association from advising and assisting the public generally to consult a member of our profession for a proper solution of legal problems.¹

Apparently this has long been the prime policy of bar associations generally throughout the United States.² In 1937, the Los Angeles Bar Association decided to assist inquiring laymen. The "Experienced Lawyers List" was then established to meet the demand arising from "a number of calls . . . coming in each month to the . . . Association's offices from laymen asking for the name of a reliable lawyer whom they can employ." This list comprised the names of those members of the Association who had been engaged in active practice for more than five years, and who chose to register as experienced in a particular field of the practice.³

Today we are inaugurating a revised and extended "Lawyers Reference Service," designed to meet the needs of:

- (1) Laymen generally who seek a lawyer engaged in a particular field of the practice;
- (2) Laymen of the lower income groups who seek a lawyer willing to serve them for relatively small fees within their means; and
- (3) Members of the profession who seek a specialist or a lawyer experienced in a particular field.

Experience is authority for the assertion that this reference service will adequately meet the needs of groups (1) and (3). But what of group (2)?

The Bar has long sponsored Legal Aid Societies and Foundations intended to assure charitable legal representation for the poor. Authorities on the subject remind us, however, that compared with the actual need for such charity, the surface has scarcely been scratched.⁴ Long with us also have been problems of

¹Opinion 179 of Committee on Professional Ethics and Grievances of the American Bar Association (1938), XXIV A.B.A.J. 670; Shall the Bar Advertise? (1938), 13 Los Angeles Bar Bulletin, 362; The "Bar Advertising" Problem (1938), 13 Los Angeles Bar Bulletin, 347.

²Fisher, Lawyer Reference Plan in Operation—Chicago Bar Association Inaugurates Experiment in Legal Service (1940), XXI Chicago Bar Record, 136.

³A letter recently addressed by President Herbert Freston to all members of the Association states: "Surprising have been the number of inquiries from laymen not acquainted with any lawyer. Surprising also is the report of many members who registered for the list, that the matters referred to them have proved to be 'substantial'."

⁴Smith, Justice and the Poor (1919); Report of the Standing Committee on Legal Aid Work (1938), 63 Reports of A. B. A. 273.

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"the law's delays", and of reducing the amount which the litigant must pay in order to require the administrative machinery of courts to function.⁵

But of late we have been hearing much of a newly found problem. This problem has been posed as one entirely apart from that of providing free legal service for those unable to pay any fee; as one entirely apart from that of coping with the excessive cost of litigation.⁶ It is said that lawyers' fees are too high. So high, in fact, that "many millions of people who are willing and able to pay something for legal service" are, in effect, denied the counsel and advice of our profession, which is made readily available to the well-to-do.⁷ We are told that it is the urgent duty of the Bar to prevent "socialization" by providing low-cost legal service to those in the lower income groups.⁸

Many lawyers will concede, but not proudly, that comparatively few members of our profession contribute much more than lip service to charitable legal aid. More will agree that something must be done to reduce the financial outlay exacted of the layman who seeks justice in the courts. Some concur in the recommendation that the Bar establish "Legal Service Bureaus"⁹ or "Neighborhood Law Offices"¹⁰ or "Bar Association Law Offices,"¹¹ or some similar new organization, in order to meet the demand for low-cost legal service on the part of the low-income groups who are unable to pay more than modest fees.

A. B. A. ACTION

In 1937 the American Bar Association established a Special Committee on Legal Clinics to study the problem.¹² The National Lawyers Guild, at its first annual meeting held in 1937, declared: "To meet the needs of those able to pay moderate fees we believe it desirable to encourage the formation of legal clinics, offering services in civil and criminal cases . . ."¹³ A committee of the Chicago chapter of the Guild has since submitted its final report setting forth a detailed plan for the establishment and operation of a "Legal Service Bureau."¹⁴ In 1939 a committee of the Chicago Bar Association recommended that the Association

⁵Pound, *Organization of Courts* (1940).

⁶The Economics of the Legal Profession (1938), 118, published by the American Bar Association.

⁷Foreword to "Plan for the Establishment of a Legal Service Bureau for Meeting the Needs of Low Income Groups" (1939), submitted by the Committee on Legal Service Bureau of the National Lawyers Guild, Chicago Chapter.

⁸The Economics of the Legal Profession (1938), 118; Garrison, *Legal Service for Low Income Groups in Sweden* (1940), XXVI A. B. A. J. 215.

⁹Bradway, *Low Cost Legal Service Bureaus* (1939), 17 North Carolina Law Review, 101.

¹⁰Abrahams, *Neighborhood Law Office Plan* (1939), 14 Los Angeles Bar Bulletin, 286; 15 Los Angeles Bar Bulletin (1939), 74.

¹¹Low Cost Service Plans Proposed (1939), XX Chicago Bar Record, 233.

¹²Report of the Special Committee on Legal Clinics (1938), 63 Reports of A. B. A. 443. The name of this Committee was later changed to "Committee on Legal Service Bureaus." See Interim Report of Committee on Legal Service Bureaus (1940), XXVI A. B. A. J. 126.

¹³"This resolution arose from the conviction that the law profession in modern times has failed to provide for the legal needs of many millions of people who are willing and able to pay something for legal service although not as as unorganized lawyers practicing in the traditional manner do and must charge." Foreword to "Plan for the Establishment of a Legal Service Bureau for Meeting the Needs of Low Income Groups" (1939), submitted by the Committee on Legal Service Bureau of the National Lawyers Guild, Chicago Chapter.

¹⁴*Id.* at 9 *et seq.*

itself establish a law office, "staffed by full time lawyers employed by the Association."¹⁵ The Philadelphia chapter of the Guild has actually established eleven "Neighborhood Law Offices," each manned by a selected staff of Guild members and well advertised by the Guild through the media of newspapers, radio and other means of publicity.¹⁶

Despite this typical rush to devise an entirely new institution with which to meet a newly discovered problem, it is believed that many lawyers continue to doubt the existence of any appreciable *demand* for their services on the part of those willing to pay any fees, however small. They grant that studies in the economics of the profession, particularly in the field of law office operating costs, are of great value.¹⁷ They grant also that there is much to be said for the suggestion that many lawyers will best serve a clientele, as well as themselves, by locating their offices in neighborhoods where prospective clients reside, where low rents are available and a law office may be operated efficiently with a low overhead. But these opponents of "Legal Service Bureaus," "Neighborhood Law Offices,"

¹⁵Low Cost Service Plans Proposed (1939), XX Chicago Bar Record, 233.

¹⁶First Quarterly Report of Neighborhood Law Office Committee of Philadelphia Lawyers Guild covering "Neighborhood Law Office" operations for November and December, 1939, and January, 1940.

¹⁷The Economics of the Legal Profession (1938), 133, 149; Plan for the Establishment of a Legal Service Bureau for Meeting the Needs of Low Income Groups (1939), submitted by the Committee on Legal Service Bureau of the National Lawyers Guild, Chicago Chapter.

THE entire personnel of the Trust Department of Bank of America is dedicated to one purpose only, the care and management of estates and trusts. More and more attorneys throughout California, aware that trust business is the business of administering estates and trusts, advise their clients to name Bank of America National Trust and Savings Association executor and trustee.

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"Bar Association Law Offices" and the like, insist that no greater effort than use of the telephone in any community is necessary in order to learn that there are many lawyers—good, efficient, capable men and women—who are ready, able and willing to serve those of relatively low incomes for relatively modest fees.¹⁸

Examination of much that has been written on the subject reveals that those who urge the creation of an entirely new institution as a necessary means of bringing proper legal service to the low-income groups, have been led to do so by assuming that our problem is analogous to that confronting the medical profession. The reasoning of the proponents of the "bureau" method seems to be that since the medical profession is being constantly pressed by the demand of low-income groups for the establishment of clinics to furnish low-cost medical service, a similar demand, though perhaps less articulate, exists for low-cost legal service.¹⁹

Further reflection upon the subject should, however, serve to convince that the analogy is wholly unsound. If a man in the low-income group has a headache, he may first try some home remedy and later consult his druggist, but if the ache nevertheless persists, he is certain ultimately to *demand* the services of a physician. On the other hand, if the same man in the low-income group is faced with a legal problem, he today merely consults his real estate agent, or his banker, or his insurance agent. From such an oracle the "legal advice" flows gratis—and with a degree of "certainty" unknown to the technique of a competent lawyer.

Many indications point to the fact that the man of small means deliberately avoids a law office largely because he has never been able to learn in advance what it will cost him to consult a lawyer.²⁰ That situation suggests one great business lesson we can take from the doctors—the fixed fee for an office consultation. Any working man consulting a physician knows that the doctor's fee for the interview will not exceed perhaps two dollars, and will certainly not exceed five dollars. But if that same working man is confronted with a legal problem and desires to consult a lawyer, he has not the slightest idea whether the consultation will cost him nothing at all, or five or fifty dollars.

Thus, we have ample reason to believe that the man of comparatively small means avoids us largely for two reasons:

First, because of uncertainty as to what a lawyer's service will cost him; and second, because of the fact that he can satisfy his thirst for legal advice by freely consulting real estate agents, bankers, insurance agents, and other laymen.²¹

But whatever the cause, it seems mere fantasy to assume that there exists any unsatisfied *demand* on his part for low-cost legal service. We know, to be sure, that he *needs* low-cost legal service, but we search in vain for evidence of any *demand* on his part we lawyers furnish it.²² Undoubtedly, he would seek the

¹⁸The Economics of the Legal Profession (1938), 118.

¹⁹*Id.* at 119; Bradway, *op. cit. supra*, note 9, at 105; Fishbein, Medical Plans for Low Income Groups (1940), XXXVI A. B. A. J. 149.

²⁰"It is little wonder, then, that in so many cases the man with the small to moderate income, even when he knows he needs advice, avoids lawyers like the plague, and only goes to a lawyer as the last possible resort. It is little wonder, furthermore, with the law as complex as it is, that this little man oftentimes does not know when he needs legal advice and protection." Andrews, A Proposed Survey of the Bar and of the Public Need for Legal Services in New York State (1940), 5; The Economics of the Legal Profession (1938), 122; Garrison, Low Cost Legal Service in Sweden II (1940), A. B. A. J. 296.

²¹The "Unauthorized Practice of Law" Controversy (1938), Law and Contemporary Problems, Vol. V, No. 1, Duke University Law School.

²²"We do not know how much legal service the public needs which it is not getting from us, the Bar. We do know that for lack of anything supplied by the Bar to meet

his needs, the man of small to moderate income is turning to trust companies, to collection services of a lawyer, if he but knew there were competent lawyers who would be well satisfied to serve him for a fee within his means. The difficulty, then, seems to lie in the fact that our man of small means does not even realize such lawyers exist.²³

So our real problem is how best to introduce to the many potential low-income clients those splendid lawyers who are willing to serve them on a low fee charge basis.²⁴ The establishment of a "Legal Service Bureau" or a "Neighborhood Law Office" or a "Bar Association Law Office" would provide a rather dramatic means. This was demonstrated by the Guild's experiment in Philadelphia, which provoked the newspaper comment that people patronizing their "Neighborhood Law Office" could now "get law like groceries—around the corner at bargain prices."²⁵

agencies, to real estate firms, to title guarantee companies and abstract companies, to insurance companies for the kind of services which lawyers used to perform." Andrews, *op. cit. supra*, note 20, at 2.

²³Andrews, *op. cit. supra*, note 20, at 6.

²⁴"While the rich and moderately well-to-do have learned the wisdom of keeping in close touch with their lawyers, and the poor, by the hundreds of thousands, have learned to consult the legal aid societies, there has been, and is, a huge intermediate class that needs legal help and knows not where to turn. And at the same time hundreds of honest and competent lawyers, able and eager to be of service, live on the borderline of starvation.

"Where there is such an obvious need or demand, and such an obvious supply, it must be possible to bring the two together." *The Economics of The Legal Profession* (1938), 118.

²⁵Interim Report of Committee on Legal Service Bureaus (1940), XXVI A. B. A. J. 126.



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★★★ Born in Alma, Nebraska; LL.B. degree from Creighton University in Omaha; elected County Attorney of Fillmore County, Nebraska two terms of two years each; helped organize and operate bank in Grand Island, Nebraska; sold interest in bank and joined the navy in January 1918, later commissioned ensign from U.S. Paymaster's School at Princeton University; released from active duty in February '19; returned to Nebraska to assume cashier's position with Omaha bank; came to California in '23 and to California Bank in '24; made Escrow Clerk of California Trust Company in '26; Escrow Officer in '27; title of Assistant Secretary added in '33 and stepped up to Assistant Trust Officer and Escrow Officer in '37. Is a Mason, member of the Shrine and Scottish Rite. Admitted to bar in Nebraska, California and U.S. Supreme Court

This suggests one seemingly obvious and incurable defect in the "bureau" plan of meeting the problem. The establishment of each "bureau" and the opening of each "Neighborhood Law Office" inevitably advertises—either expressly or by inescapable implication—that something novel and unobtainable at any other law office is offered: Legal service to the "people" at cut rates! Such publicity can be of benefit only to those lawyers who happen to be chosen to man the staff of the "bureau;" while it necessarily operates to the detriment of all other lawyers in the particular community, and disparages the profession as a whole.²⁶

Certainly no one will dispute that every lawyer in each community who desires to serve low-income groups on a modest fee basis, should be accorded full opportunity so to do. But that opportunity obviously cannot exist under any plan calling for the creation of a new "bureau." How, then, can it be accomplished?

L. A. BAR PLAN

The Los Angeles Bar Association hopes that the revised Lawyers Reference Service, described elsewhere in this issue of THE BULLETIN, will point the way to the answer. The plan permits of participation by all lawyers who are willing to render legal services for modest fees to people of small incomes. It permits the layman the widest practicable freedom of choice in selecting his lawyer from among all the lawyers of the community who are willing to serve him. And it provides a known maximum fee for the first consultation, leaving to attorney and client freedom of contract with respect to any future fees.

Possibly the outstanding virtue of this reference service consists in the fact that it does not attempt too much. Two basic ideas appear to have guided the work of the committee: First, that any layman in this community who is able to pay a fee, however small, but is unable to find a lawyer willing to serve him in return for such fee as he is able to pay, deserves the charity of our Legal Aid Foundation just as surely as does the layman who can pay no fee at all. Second, that the Los Angeles Bar Association will have performed a real public service, if the reference plan accomplishes nothing more than the introduction of the layman to some competent lawyer who is willing to serve him for a fee within his means.

The extent to which the reference service will solve the problem of introducing to potential low-income clients the lawyers who are willing to serve them for a modest fee, would seem to be limited only by the extent to which the existence of the service is made known to the public. Our imagination is challenged to vision what benefits might result to laymen, and to members of the profession as well, if dignified publicity should be given to the fact that any layman can take his legal problems to competent lawyers, who are willing to advise him for a half hour in return for a fee of three dollars.

Many of us feel the conduct of intelligent, dignified publicity and educational campaigns designed to encourage the layman to take his legal problems to a lawyer, is a long-neglected function of bar associations everywhere. There is widespread belief that the danger of our becoming a "forgotten" profession is much more

²⁶"Instead of dignifiedly calling the public's attention to the fact that the bar in general is always ready to render legal services to people of the low-income group at rates in keeping with their incomes, just as it renders Legal Aid to indigent litigants without any charge whatever, this Philadelphia plan resorts to all manner of advertising calling attention to the fact that cut-rate legal services may be obtained in a few selected neighborhood offices." Report of The Brooklyn Bar Association Committees on Professional Economics, General Affairs and Legal Aid on Subject of "Approved Neighborhood Law Offices" (1940), 4.

imminent than that of our being regimented into a "socialized" profession.²⁷ The time is ripe—even overdue—for bar associations to cease blushing with false pride and tell the public in a dignified way about our profession and what it has to offer in the way of service throughout the everyday, workaday lives of all members of the community, irrespective of their incomes.

All will agree that "advertising" is the essential means whereby to tell the people of small incomes that competent lawyers stand ready to serve them for fees within their means.²⁸ That being true, let us advertise for the benefit of the whole profession in each community, rather than merely for the benefit of a few lawyers who may happen to comprise the staff of a "Neighborhood Law Office" or a "Legal Service Bureau."²⁹

²⁷Andrews, op. cit. *supra*, note 24, at 14; The "Unauthorized Practice of Law" Controversy, op. cit. *supra*, note 21; Bradway, op. cit. *supra*, note 9, at 104.

²⁸"In order to bring the office to the attention of people of small means, from whose ranks the clients of the office will largely come, newspaper and other advertising is probably necessary and desirable. The reasons behind the canon of ethics prohibiting advertising have to do with the evils likely to arise from competitive advertising by private practitioners and do not apply to dignified statements issued by a bar association authorized by the Supreme Court to act on behalf of the bar as a whole." Low Cost Service Plans Proposed (1939), Vol. XX Chicago Bar Record, at 234.

²⁹"But since the prime purpose of the bureau is to be of service at a fair fee to those who otherwise would go without legal service altogether, it would seem that publicity of the bureau's aims, purposes and available services would not constitute touting." Plan for the Establishment of a Legal Service Bureau for Meeting the Needs of Low Income Groups, op. cit. *supra*, note 7, at 36; cf. The Economics of the Legal Profession, op. cit. *supra*, note 6, at 121-122.



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It is believed that such an educational program can be carried on by the organized bar entirely in keeping with the rules suggested in Opinion 179 of the Committee on Professional Ethics and Grievances of the American Bar Association. As is there well said:

"In carrying out a project to educate the lay public with respect to the benefits of preventive legal services, certain possible evils should be carefully guarded against.

"First, it should be carried on by the organized bar in order that any semblance of personal solicitation will be avoided.

"Second, that the purpose is to give the layman beneficial information, to enable lawyers as a whole to render a better professional service, to promote order in society, to prevent controversy and litigation and to enhance the public esteem of the legal profession, the judicial process and the judicial establishments, should be made plain.

"Third, it must in fact be motivated by a desire to benefit the lay public and carried out in such a way as to avoid the impression that it is actuated by selfish desire to increase professional employment; and any plan, however well intended, that on trial fails to convince the lay public that the purpose is to benefit the layman and not to promote professional employment should be promptly abandoned.

"Fourth, it should be carried on in a manner in keeping with the dignity and traditions of the profession" * * *

"We recognize a distinction between teaching the lay public the importance of securing legal services preventive in character and the solicitation of professional employment by or for a particular lawyer. The former tends to promote the public interest and enhance the public estimation of the profession. The latter is calculated to injure the public and degrade the profession."

* * * * *

"Advertising which is calculated to teach the layman the benefits and advantages of preventive legal services will benefit the lay public and enable the lawyer to render a more desirable and beneficial professional service." * * *

"The practice of the law is affected with a public interest. Society as a whole, as well as the individual client, is interested in the service rendered by the lawyer because it directly affects the maintenance of order and harmony in business and social relations and the due administration of justice. If the public interest is to be best served the profession must merit and have the confidence and respect of the public. One way to obtain that confidence and respect is to render a more useful professional service."³⁰

If, as is expected, the revised Lawyers Reference Service plan of the Los Angeles Bar Association discloses a practical and desirable means of introducing those of relatively small means to competent lawyers who are willing to serve them on a modest fee basis, "in a manner in keeping with the dignity and traditions of the profession," then indeed a "useful professional service" will have been rendered.³¹

³⁰XXIV A. B. A. J. 671 (1938).

³¹The Second Quarterly Report of the Neighborhood Law Office Committee of the Philadelphia Lawyers Guild states that for the months of February, March and April, 1940, "The percentage of clients who stated that they had never visited a lawyer before . . . was 82%."

SUPERIOR COURT CANDIDATES

CANDIDATES for fifteen offices of Judge of the Superior Court will be voted for at the primary election of August 27. Declarations of Intention have been filed by thirty-five candidates. The last day for filing petitions will be June 22. Prior to the latter date it cannot be determined how many candidates' names will appear on the ballot.

Following is a tabulation of office numbers, incumbents, and opponents of the respective incumbents:

OFFICE NUMBER	INCUMBENT	OPPONENTS
1	Elliot Craig	Fred Lindsay
2	Thomas C. Gould	Charles W. Dempster
3	B. Rey Schauer	
4	Charles W. Fricke	Thomas Higgins, Jr.
5	Emmet H. Wilson	Clarence L. Ripley
6	Myron Westover	Charles Francis Adams
		Ugene P. Blalock
		Joseph L. Call
7	Samuel R. Blake	
8	Frank M. Smith	Stanley E. Fox
		Earle M. Daniels
		J. Gilbert Fall
		Hal Hughes
9	Clarence L. Kincaid	
10	Thomas L. Ambrose	A. A. Golden
11	Ben B. Lindsey	R. C. W. Friday
12	Clarence M. Hanson	Sylvan Y. Allen
		Joseph Marchetti
		Leland E. Zeman
13	Roy V. Rhodes	Clarence Hansen
14	John Beardsley	LeRoy Dawson
		Walter Emmett Barry
15	Peirson M. Hall	H. C. Greenlee

LAW LIBRARY NOTES

By Thomas S. Dabagh, Librarian

RARE BOOKS. Local members of the bar have long known of the splendid collection of rare English law books collected over a period of many years by Tom Robinson. A recent check of this collection against a bibliography of law books published in England prior to 1600, compiled from the books in 25 leading law libraries, reveals that the Los Angeles County Law Library possesses 58 of the items listed. This figure includes three items possessed by only one of the libraries covered by the bibliography, and seven items found in but two of the libraries.

LOST BOOKS: YOURS. The following volumes, the property of patrons who have not marked their books, have been found in the Library, and will be returned to their owners upon identification:

- A. L. R., a volume between 90 and 99;
- Corpus Juris, a volume between 30 and 39 (red back edition);
- Pacific Reporter, a volume between 40 and 49, 2d Series, and one between 70 and 79, 2d Series.

LOST BOOKS: LIBRARY'S: There are regrettably a number of volumes, the property of the Law Library, which have disappeared over a period of years from the shelves without record. Undoubtedly most of these were absent-mindedly carried off without charging at the Loan Desk, and have carelessly been mixed with private office books. Members of the bar are requested to cooperate with the Library to secure the return of these books. Unfortunately the stamp or perforation on the title page is often the only mark of ownership, so that it is necessary to open the books to determine whether or not they belong to the Law Library. An examination of the "extra" volumes and "strange" titles in your collection will be helpful to the Library.

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